

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTRADE SHIPPING & TRANSPORT GMBH, :

Plaintiff, :

-against- :

GABRO INTERNATIONAL AG, :

Defendant. :

ECF

AFFIDAVIT PURSUANT

TO SUPPLEMENTAL

RULE B

07 Civ. 7994(RJH)

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STATE OF NEW YORK)

: ss.:

COUNTY OF NEW YORK)

TULIO R. PRIETO, being duly sworn, deposes and
says:

1. I am a member of the Bar of this Court and a
member of the firm of Cardillo & Corbett, attorneys for the
Plaintiff herein. I am familiar with the facts of this case
and make this affidavit in support of Plaintiff's prayer for
the issuance of a Writ of Maritime Attachment and Garnishment,
pursuant to Rule B of the Supplemental Rules for Certain
Admiralty and Maritime Claims of the Federal Rules of Civil
Procedure.

2. I have attempted to locate defendant, GABRO
INTERNATIONAL AG, within this District. As part of my
investigation to locate the Defendant within this District, I
examined the telephone company information directory, as well
as the white and yellow pages of New York listed on the

Internet or World Wide Web, and did not find any listing for the Defendant.

3. The database of the office of the New York State Secretary of State was searched to determine if Defendant is qualified to do business in New York, without result.

4. On information and belief, Defendant, GABRO INTERNATIONAL AG, was and still is, a foreign corporation, or other business entity, organized under, and existing by virtue of foreign law, with an address at Poststrasse 18 - CH-6300 Zug Switzerland.

5. In consequence of these inquiries your deponent believes that the Defendant cannot be found within the Southern District of New York.

6. Upon information and belief, Defendant has, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro Bank NV, American Express Bank, Bank of America, Bank of Communications Co. Ltd. New York Branch, Bank of New York, Barclays Bank, BNP Paribas, Citibank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, UBS AG and/or Wachovia Bank, in the form of accounts and/or fund transfers identified as follows:

- a) accounts in the name of
GABRO INTERNATIONAL AG, or
- b) electronic funds transfers listing

GABRO INTERNATIONAL AG, as a beneficiary of the funds transfer, or

- c) electronic funds transfers showing GABRO INTERNATIONAL AG, as the remitting party or ordering customer.

7. This is Martrade Shipping & Transport GMBH's first request for this relief.

WHEREFORE, MARTRADE SHIPPING & TRANSPORT GMBH respectfully requests that the Court authorize the issuance of process in the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of GABRO INTERNATIONAL AG's tangible and intangible property within this District.


TULIO R. PRIETO

Sworn to before me this
10th day of September, 2007


NOTARY PUBLIC

CHRISTOPHIL B. COSTAS
Notary Public, State of New York
No. 31-0773693
Qualified in New York County
Commission Expires April 30, 2011